

REMARKS

Amended Claims 3-22 are pending in the Application.

Claims 3-22 stand rejected.

Claims 3-5, 10, 13, 15, and 16 have been amended.

I. EXAMINER'S INTERVIEW

The Applicant called the Examiner on November 2, 2005 to discuss the Office Action. The Applicant pointed out that the Examiner stated that the rejections of the claim 3-22 over U.S. Patent No. 4,665,565 to *Odom* were considered moot in view of her new grounds of rejection of Claim 3 over U.S. Patent No. 6,732,377 to *Wilkinson*. Rendering the Applicants arguments concerning *Odom* moot usually means the Examiner is withdrawing these rejections, however the Examiner repeated rejection of the Claims over *Odom* without any comment save the one above regarding the Applicants submitted arguments traversing the rejections of the claims over *Odom*. The Applicant discussed this in detail with the Examiner but the Examiner, while noting a failure to consider Applicants arguments, still feels that the rejections over *Odom* still stand and she is adding a new rejection over *Wilkinson*. The Examiner stated that Applicant needed to further define the first location feature and the third and fourth attachment features.

II. REJECTION UNDER 35 U.S.C. § 102

Claims 3-8 and 10-11, and 13-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,665,565 to *Odom* (hereafter "*Odom*").

Claim 3 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,732,377 to *Wilkinson* (hereafter "*Wilkinson*").

For a reference to anticipate a claimed invention, the reference must disclose every aspect of the claimed invention. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

The Applicant has amended Claim 3 to further define the position on the first location feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the location feature of Claim 3 from element 28 which is an attachment feature on one glove of *Odom* that the Examiner states corresponds to a location feature on the other mirror image glove of *Odom*.

Therefore the Applicant respectfully asserts that the rejection of Claim 3 under 35 U.S.C. § 102(b) as being anticipated by *Odom* is traversed by the stated amendment.

Wilkinson does not have a first location feature as recited in Claim 3 of the present invention. Therefore, the Applicant asserts that *Wilkinson* does not read on Claim 3.

Therefore the Applicant respectfully asserts that the rejection of Claim 3 under 35 U.S.C. § 102(e) as being anticipated by *Wilkinson* is traversed by the above argument.

Claim 4 is dependent from amended Claim 3 and contains all the limitations of Claim 3. The Applicant has amended Claim 4 to further define the third attachment feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the third attachment feature of Claim 4 from element 36 of *Odom* which is disposed on both the index and the middle fingers of *Odom's* glove.

Therefore the Applicant respectfully asserts that the rejection of Claim 4 under 35 U.S.C. § 102(b) as being anticipated by *Odom* is traversed by the stated amendment.

Claim 5 is dependent from Claim 4 and contains all the limitations of Claim 4. The Applicant has amended Claim 5 to further define the position of the fourth attachment feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the fourth attachment feature of Claim 5 from element 26a of *Odom* which is disposed on the tip of the little finger of *Odom's* glove.

Therefore the Applicant respectfully asserts that the rejection of Claim 5 under 35 U.S.C. § 102(b) as being anticipated by *Odom* is traversed by the stated amendment.

Claim 6 is dependent from Claim 5 and contains all the limitations of Claims 5. The Applicant respectfully asserts that since Claim 5 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 6 is also not anticipated by *Odom*.

Claim 7 depends from amended Claim 3 and contains all the limitations of Claim 3. The Applicant respectfully asserts that since Claim 3 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 7 is also not anticipated by *Odom*.

Claim 8 is dependent from Claim 5 and contains all the limitations of Claim 5. The Applicant respectfully asserts that since Claim 5 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 8 is also not anticipated by *Odom*.

Therefore the Applicant respectfully asserts that the rejections of Claims 6-8 under 35 U.S.C. § 102(b) as being anticipated by *Odom* are traversed by the stated amendment to Claim 3.

Claims 10-20 are directed to methods of teaching a golfer how to attain and maintain a correct golf grip on a golf club using the golf teaching aid of the present invention. These claims were rejected as being directed to inherent method steps of *Odom's* device. Claim 10 has been amended to further define the position of the first location feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the location feature of Claim 10 from element 28 which is an attachment feature on one glove of *Odom* that the Examiner states corresponds to a location feature on the other mirror image glove of *Odom*. Therefore, the method steps of Claim 10 are directed to the golf teaching aid of the present invention which is clearly distinguished from the golf gloves of *Odom*.

Therefore, the Applicant respectfully asserts that the rejection of Claim 10 under 35 U.S.C. § 102(b) as being anticipated by *Odom* is traversed by the stated amendment.

Claims 11 and 12 depend directly or indirectly from Claim 10 and each contains all the limitations of Claim 10. The Applicant respectfully asserts that since Claim 10 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claims 11 and 12 are not anticipated by *Odom*.

Claim 13 has been amended to further define the position of the first location feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the location feature of Claim 13 from element 28 which is an attachment feature on one glove of *Odom* that the Examiner states

corresponds to a location feature on the other mirror image glove of *Odom*. Therefore, the method steps of Claim 13 are directed to the golf teaching aid of the present invention which is clearly distinguished from the golf gloves of *Odom*.

Claim 14 depends from amended Claim 13 and contains all the limitations of Claim 13. The Applicant respectfully asserts that since Claim 13 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 14 is not anticipated by *Odom*.

Claim 15 is dependent from amended Claim 13 and contains all the limitations of Claim 13. The Applicant has amended Claim 15 to further define the third attachment feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the third attachment feature of Claim 15 from element 36 of *Odom* which is disposed on both the index and the middle fingers of *Odom*'s glove.

Therefore the Applicant respectfully asserts that the rejection of Claim 15 under 35 U.S.C. § 102(b) as being anticipated by *Odom* is traversed by the stated amendment.

Claim 16 is dependent from Claim 15 and contains all the limitations of Claim 15. The Applicant has amended Claim 16 to further define the position of the fourth attachment feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the fourth attachment feature of Claim 16 from element 26a of *Odom* which is disposed on the tip area of the little finger of *Odom*'s glove.

Therefore the Applicant respectfully asserts that the rejections of Claims 13-16 under 35 U.S.C. § 102(b) as being anticipated by *Odom* are traversed by the stated amendment to Claims 13, 15, and 16.

Claim 17 is dependent from Claim 16 and contains all the limitations of Claims 16. The Applicant respectfully asserts that since Claim 16 has been amended

and its limitations are clearly distinguished from the teachings of *Odom*, Claim 17 is not anticipated by *Odom*.

Claim 18 depends from amended Claim 13 and contains all the limitations of Claim 3. The Applicant respectfully asserts that since Claim 13 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 18 is not anticipated by *Odom*.

Claim 19 is dependent from Claim 16 and contains all the limitations of Claim 16. The Applicant respectfully asserts that since Claim 16 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 19 is not anticipated by *Odom*.

Claim 20 depends from amended Claim 13 and contains all the limitations of Claim 3. The Applicant respectfully asserts that since Claim 13 has been amended and its limitations are clearly distinguished from the teachings of *Odom*, Claim 20 is not anticipated by *Odom*.

Therefore the Applicant respectfully asserts that the rejections of Claims 17-20 under 35 U.S.C. § 102(b) as being anticipated by *Odom* are traversed by the stated amendment to Claims 13, 15, and 16.

III. REJECTION UNDER 35 U.S.C. § 103

The Examiner rejected Claims 9, 12, 21, and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Odom* in view of Figs. 5-6 showing a different embodiment of *Odom*.

To establish a *prima facie* case of obviousness, the Examiner must meet three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be some reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations.

Claim 9 is dependent from amended Claim 3 and contains all the limitations of amended Claim 3. The Applicant has amended Claim 3 to further define the position on the first location feature as suggested by the Examiner. The Applicant respectfully asserts that this amendment clearly distinguishes the first location feature of Claim 3 from element 28 which is an attachment feature on one glove of *Odom* that the Examiner states corresponds to a location feature on the other mirror image glove of *Odom*. FIGS. 5 and 6 of *Odom* teach an attachment feature disposed over the entire palm and up the all of the fingers of *Odom*'s golf glove. Clearly element 46 is not a location feature as defined in Claim 3 of the present invention as its total palm and finger coverage teaches away from any location functionality. *Odom* states that element 46 is a "cooperative fastener" that meshes with a fastener strip 44 attached around the entire part of the outer periphery of the golf grip of *Odom*'s golf club. Therefore, FIGS. 5 and 6 of *Odom* do not teach or suggest the first location feature of Claim 3 that functions to align the shaft of the golf club to achieve a correct grip that also is able to couple to a fifth attachment feature on a modified golf grip of a golf club.

Therefore, the Applicant respectfully asserts that the rejections of Claims 9 under 35 U.S.C. § 103(a) as being unpatentable over *Odom* in view of another embodiment of *Odom* are traversed by the stated amendment to Claim 3 and the above argument.

Claim 12 is dependent from Claim 11 and contains all the limitations of Claim 11, including the steps of amended Claim 10. The Applicant has shown that *Odom* does not inherently teach or suggest the method steps of amended Claims 10 and Claim 11, inherently or otherwise, and thus does not teach or suggest the method of Claim 12.

Claim 21 is dependent from Claim 17 and contains all the limitations of Claim 17 and intervening dependent Claims 13-16. The Applicant has shown that *Odom* does not teach or suggest the golf teaching aid of Claim 3 and thus the method of

Claim 13 are not obvious method steps of *Odom's* mirror image golf gloves. Therefore the limitation of Claim 21 is not taught or suggested by *Odom*.

Claim 22 depends from Claim 21 contains all the limitations of Claim 21 and intervening Claims 13-17. The Applicant asserts that *Odom* does not teach or suggest the method of Claim 13 using the golf teaching aid of Claim 3 and thus does not teach or suggest Claim 22.

Therefore, the Applicant respectfully asserts that the rejections of Claims 12 and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over *Odom* in view of another embodiment of *Odom* are traversed by the stated amendment to Claims 3 and 13 and the above argument.

IV. CONCLUSION

Claims 3-22 are pending.

Claims 3-5, 10, 13, 15, and 16 have been amended to put the claims into condition for allowance.

The Applicant has traversed the rejections of Claims 3-8, 10-11, and 13-20 under 35 U.S.C. § 102(b) as being anticipated by *Odom*.

The Applicant has traversed the rejection of Claim 3 under 35 U.S.C. § 102(e) as being anticipated by *Wilkinson*.

The Applicant has traversed the rejections of Claims 9, 12 and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over by *Odom* in view of another embodiment of *Odom*.

The Applicant, therefore, respectfully asserts that Claims 3-22 are in condition for allowance and request an early allowance of these claims.

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Applicant respectfully request that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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